

SENATE BILL No. 188

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3-17.8; IC 7.1-4-4.1-9.

Synopsis: State park alcoholic beverage permits. Requires the alcohol and tobacco commission to issue a three-way permit to the department of natural resources (DNR) for one or more state parks if a proper application is made. Exempts a permit issued for a state park from: (1) local board investigation and hearing on the application; (2) quota restrictions; and (3) requirements regarding the character of the permit applicant and the location of the permit. Exempts the DNR from provisions that prohibit a permit holder from discounting alcoholic beverage purchases: (1) for less than all purchasers; or (2) during a part of the day. Provides that the annual fee for a permit issued to a state park is \$250.

Effective: July 1, 2016.

Merritt

January 6, 2016, read first time and referred to Committee on Public Policy.



Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 188

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 7.1-3-17.8 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]:
4 **Chapter 17.8. State Park Liquor Permits**
5 **Sec. 1. (a) As used in this section, "department" means the**
6 **department of natural resources created by IC 14-9-1-1.**
7 **(b) As used in this section, "permit" means a three-way permit.**
8 **(c) The department may apply for a permit for one (1) or more**
9 **state parks. A permit issued for a state park may be a single permit**
10 **even though more than one (1) area within the state park**
11 **constitutes the licensed premises of the permit.**
12 **(d) A permit issued for a state park under this section is not**
13 **subject to any of the following:**
14 **(1) IC 7.1-3-9-10.**
15 **(2) IC 7.1-3-21-1.**
16 **(3) IC 7.1-5-5-7.**
17 **(4) IC 7.1-5-10-20(a)(1).**



(5) 905 IAC 1-27-1 and 905 IAC 1-27-4.

(e) Upon proper application, the commission shall issue a permit to the department for the state park that is the subject of the application without:

(1) publication of notice or investigation before a local board; and

(2) regard to the quota provisions of IC 7.1-3-22.

SECTION 2. IC 7.1-4-4.1-9, AS AMENDED BY P.L.224-2005, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9. (a) This section applies to the following biennial permits:

- (1) Beer retailer's permit.
- (2) Liquor retailer's permit.
- (3) Wine retailer's permit.
- (4) One-way permit.
- (5) Two-way permit.
- (6) Three-way permit.
- (7) Airplane beer permit.
- (8) Airplane liquor permit.
- (9) Airplane wine permit.
- (10) Boat beer permit.
- (11) Boat liquor permit.
- (12) Boat wine permit.
- (13) Dining car beer permit.
- (14) Dining car liquor permit.
- (15) Dining car wine permit.
- (16) Hotel seasonal permit.

(b) The commission shall charge a single fee for the issuance of any combination of retailer's permits issued for the same location or conveyance.

(c) An annual permit fee in the following amount is imposed on a retailer:

- (1) Five hundred dollars (\$500), if the retailer serves only beer or only wine.
- (2) Seven hundred fifty dollars (\$750), if the retailer serves both beer and wine but no liquor.
- (3) One thousand dollars (\$1,000), if the retailer serves beer, wine, and liquor.

(d) Notwithstanding subsection (c), the annual permit fee for a three-way permit issued to a state park under IC 7.1-3-17.8-1 is two hundred fifty dollars (\$250).

